

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : DU et al.  
TITLE : FLI-CHIP LIGHT EMITTING DIODE  
APPLICATION NO. : 10/828,576  
FILED : April 21, 2004  
CONFIRMATION NO. : 5300  
EXAMINER : ARENA  
ART UNIT : 2811  
LAST OFFICE ACTION : April 15, 2008  
ATTORNEY DOCKET NO. : 130567/GLOZ200129

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **April 15, 2008** finally rejecting claims 2-6, 18, 23, and 26-31.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$510.00

3. **EXTENSION OF TERM**

☐ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a -month extension of time up to and including in

which to file the accompanying Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

|                        |                 |
|------------------------|-----------------|
| Notice of Appeal Fee:  | <u>\$510.00</u> |
| Extension of Time Fee: | <u>\$ .00</u>   |

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

Respectfully submitted,

Fay Sharpe LLP

7-15-08  
Date

Robert M. Sieg  
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| CERTIFICATE OF MAILING OR TRANSMISSION  |                                      |
|---|--------------------------------------|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being  |                                      |
| <input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. |                                      |
| <input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.  |                                      |
| Express Mail Label No.:   | Signature: <u>Mary Ann Temesvari</u> |
| Date: <u>July 15, 2008</u>  | Name: Mary Ann Temesvari             |